

Application Serial No. 10/631,222
In reply to Office Action of 9 September 2004

Attorney Docket No. 76306

REMARKS/ARGUMENTS.

Claim 1-18 are currently in the application. Claims 16-18 are allowed. Claims 1, 2 and 7-12 are rejected and claims 3-6 and 13-15 are objected to. By this response claims 3, 7-10 and 12-14 are amended. The response further cancels claims 1, 2 and 11, such cancellations being without prejudice.

In the above-reference Office Action the Examiner rejected claims 1, 2 and 7-12 under 35 U.S.C. 102(b) citing Swenson (U.S. Patent No. 4,241,427), and objected to claims 3-6 and 13-15 as depending from a rejected base claim. These rejections and objections are respectfully traversed in view of this amendment.

The Examiner has extended a conditional offer of allowance for the set of claims consisting of claims 3-6 and 13-15, stating they would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. With regard to this conditional offer, Applicants have literally complied with the condition in the cases of claims 3, 11 and 12. In the cases of the other claims, namely claim 5, 6 and 15, the amendments hereof leave these claims formally structured as dependent claims (sanctioned by 35 U.S.C. 112, third paragraph), and they actually do contain all the limitations of the base and intervening claims by virtue of their base claims as amended. It is submitted that their rejection should be withdrawn and they should also be allowed

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along with those claims that are literally compliant with the conditions.

As stated, Applicant has amended claim 3 in full compliance with the Examiner's conditional offer of its allowance. Rejected claim 2, 7, 8 and 10 depend from claim 1 as originally filed. However, the present response amends them to depend from claim 3, so that as presently amended they contain limitations distinguishing them over Swenson. Accordingly, at least by virtue of these distinguishing limitations, withdrawal of their rejections, and their allowances instead are requested.

Rejected claim 9 is not amended and is still in its original form of depending from claim 8, but by virtue of the amendment of the latter to depend from claim 3 it also contains the distinguishing limitations. Accordingly withdrawal of the rejection of claim 9, and its allowance, is requested.

Similarly, claim 12 originally depending from claim 11 is by the present response amended to depend from claim 13, presently amended for compliance with a conditional allowance. Accordingly withdrawal of the rejection of claim 12, and its allowance instead, is requested.

Claim 16-18 are presently allowed, and in accordance with hereinabove remarks Applicants submit that claims 2-11 and 12-15 are also now allowable. Re-examination and favorable

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reconsideration in light of the above amendments and comments is respectfully requested.

The Examiner is invited to telephone Michael F. Oglo, Attorney for Applicants, at 401-832-4736 if, in the opinion of the Examiner, such a telephone call would serve to expedite the prosecution of the subject patent application.

Respectfully submitted,

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